

**United States District Court**  
**for**  
**Middle District of Tennessee**

**Report on Offender Under Supervision**


Name of Offender: Brandon J. Howard Case Number: 3:06-00070-01  
Name of Judicial Officer: The Honorable John T. Nixon, Senior U.S. District Judge  
Date of Original Sentence: March 16, 2007  
Original Offense: 18 U.S.C. § 922 (g) Felon in Possession of a Firearm  
Original Sentence: 72 months' custody and 3 years' supervised release  
Type of Supervision: Supervised Release Date Supervision Commenced: August 21, 2012  
Assistant U.S. Attorney: None Assigned Defense Attorney: George Travis Hawkins

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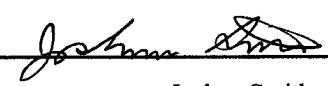
**THE COURT ORDERS:**

- ☒ No Action  
☐ Submit a Petition for Summons  
☐ Submit a Petition for Warrant  
☐ Other

Considered this 19<sup>th</sup> day of December, 2012,  
and made a part of the records in the above case.

  
\_\_\_\_\_  
John T. Nixon  
Senior U. S. District Judge

I declare under penalty of perjury that the foregoing is true and correct. Respectfully submitted,

  
\_\_\_\_\_  
Joshua Smith  
U. S. Probation Officer

Place Nashville, Tennessee

Date December 11, 2012

## ALLEGED VIOLATIONS

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation No. Nature of Noncompliance

1. The defendant shall refrain from any unlawful use of a controlled substance.

On November 26, 2012, Mr. Howard tested positive for marijuana. He admitted using marijuana the previous week.

2. The defendant shall participate in a program of drug testing and substance abuse treatment which may include a 30-day inpatient treatment program followed by up to 90 days in a residential reentry center at the direction of the U.S. Probation Office.

Mr. Howard missed drug treatment on November 14, 2012. He stated that he missed treatment due to a flat tire on his vehicle.

3. The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

Mr. Howard admitted on November 16, 2012, that he had been driving to treatment with another offender on supervised release, William Martin. William Martin has been convicted of Felon in Possession of a Firearm. Mr. Howard has not been given permission to associate with Mr. Martin.

Compliance with Supervision Conditions and Prior Interventions:

Mr. Howard began supervised release on August 21, 2012. He has been employed full-time with Southern Steak and Oyster as a dishwasher.

A report was submitted to the Court on September 24, 2012, to inform that Mr. Howard tested positive for illegal drugs on three occasions and failed to report for drug testing on one occasion. He was referred for substance abuse treatment on September 20, 2012. He began treatment on October 16, 2012.

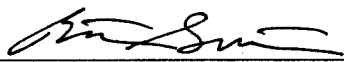
Following his positive drug test on November 26, 2012, Mr. Howard was offered increased substance abuse treatment but refused the increase, which would be by means of intensive outpatient treatment or inpatient treatment, as it would interfere with his work schedule.

Mr. Howard has been made aware that, pursuant to 18 U.S.C. § 3583(g)(4), his supervised release may be revoked if he continues to use illegal drugs.

**U.S. Probation Officer Recommendation:**

It is respectfully recommended that no action be taken by the Court at this time and Mr. Howard be allowed to continue on supervised release. He has been advised that continued disregard of his conditions of supervised release may result in sanctions by the Court.

The U. S. Attorney's Office had been notified and concurs with this recommendation.

Approved:   
Britton Shelton  
Supervisory U.S. Probation Officer